

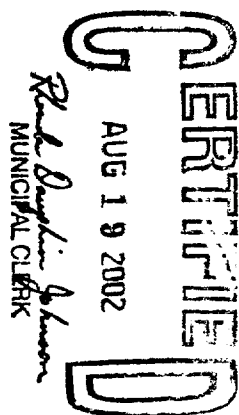
Entered - 07/01/02 - sb
CL02L0447 - DIANNE C. MITCHELL


02-R-1311

CLAIM OF: **AMY HARTZELL**
26 Huntington Place Drive
Dunwoody, Georgia 30350

For damages alleged to have been sustained as a result of vehicular damage due to a pothole on March 16 and 21, 2001 at 4500 block Roswell Road.

THIS ADVERSED REPORT IS APPROVED



BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

CITY COUNCIL AUG 19 2002

ADVERSED REPORT

COMM. P. S. L. A.
DATE 7/30/02
CHAIR C. T. Martin, Vice chair
Natalie Archuleta
[Signature]
Carla Smith



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

August 20, 2002

Amy Hartzell
26 Huntington Pl. Dr.
Dunwoody, GA 30350

02-R-1311

Dear Ms. Hartzell:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on August 19, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0447

Date: July 8, 2002

Claimant /Victim AMY HARTZELL

BY: (Atty)(Ins. Co.) _____

Address: 26 Huntington Place Drive, Dunwoody, Georgia 30350

Subrogation: _____ Claim for Property damage \$ 178.34 Bodily Injury \$ _____

Date of Notice: 06/18/02 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 03/16 & 21/02 Place: 4500 block Roswell Road

Department _____ Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges her vehicle was damaged when she drove through a pothole. The investigation determined that the location where this incident occurred was on a State highway. The claimant has been advised to pursue her claim with the Georgia Department of Transportation.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____

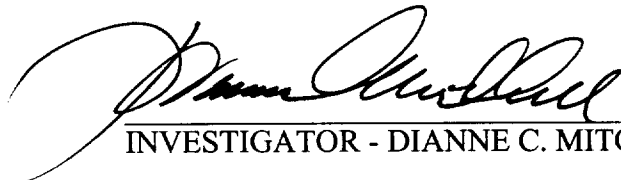
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved X Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____ 2P01 _____

Claims Manager:  Concur/date 070902

Committee Action: _____ Council Action _____

CONSENT I

<hr/> 08/19/02 Council Meeting <hr/>	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSE ON CONSENT AGENDA
1. 02-O-1181	34. 02-R-1307
2. 02-O-1221	35. 02-R-1308
3. 02-O-1222	36. 02-R-1309
4. 02-O-1282	37. 02-R-1310
5. 02-O-1300	38. 02-R-1311
6. 02-O-1245	39. 02-R-1312
7. 02-O-1293	40. 02-R-1313
8. 02-O-1294	41. 02-R-1314
9. 02-O-1223	42. 02-R-1315
10. 02-O-1220	43. 02-R-1316
11. 02-O-1289	44. 02-R-1317
12. 02-O-1291	45. 02-R-1318
13. 02-O-1273	46. 02-R-1319
14. 02-O-1224	47. 02-R-1320
15. 02-O-1232	48. 02-R-1321
16. 02-O-1233	49. 02-R-1322
17. 02-O-1287	50. 02-R-1323
18. 02-R-1362	51. 02-R-1324
19. 02-R-1283	52. 02-R-1325
20. 02-R-1288	53. 02-R-1326
21. 02-R-1334	54. 02-R-1327
22. 02-R-1279	55. 02-R-1328
23. 02-R-1331	56. 02-R-1329
24. 02-R-1332	57. 02-R-1330
25. 02-R-1333	
26. 02-R-1338	
27. 02-R-1349	
28. 02-R-1350	
29. 02-R-1348	
30. 02-R-1303	
31. 02-R-1304	
32. 02-R-1305	
33. 02-R-1306	

1st Consent I Vote: 13Yeas; 0 Nays (See RCS #3910)
Items Removed from Consent: 02-O-1290; 02-O-1213; 02-R-1345; 02-O-1272